Single Bench

CF 100/- (1) 5

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH
AT BILASPUR

W.P.SNO. 4464 / 2006

Petitioner : Manoj Dewangan
S/o Shri Jawahar Lal Dewangan,
Aged about 38 years,
R/o Tarbahar Near Water Tank,
Bilaspur-(C.G.)

P.R. No. 4514/06
Presented by Adv. V.S. Agrawal
dated 18.8.06

Versus

Respondents : 1. State of Chhattisgarh
Through The Secretary
Department of Higher Education,
D.K.S.Bhawan, Rapur,
Dist : Raipur-(C.G.)

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2. The Commissioner
Tribunal Welfare
Department of Chhattisgarh
Government Raipur

3. The Commissioner,
Public Instruction Raipur Division,
Raipur-(C.G.)

WRIT PETITION U/A 226 / 227 OF THE CONSTITUTION OF INDIA

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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मामला क्रमांक WP 4464/06 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	28-8-2006 Mr. Viprasen Agrawal, counsel for the petitioner. Mr. Sumesh Bajaj, Govt. Advocate for the State/respondents, on advance copy. Heard both the counsel. By this writ petition under Article 226/227 of the Constitution of India, the petitioner has sought for a direction to the respondents to pay the increments and seniority on the basis of the date of his initial appointment in the light of the decision rendered by the State Administrative Tribunal, Jabalpur in O.A.No.1452/1998 (Harish Chandra Singh & others vs. State of M.P. & others) dated 31-1-2000. The case of the petitioner is that he was appointed as Teacher in the School Education Department on probation for a period of two years with fixed salary. However, later on after completion of two years tenure the petitioner was regularized but he is not being given the regular pay scale. Other similarly situated teachers moved the State Administrative Tribunal, Jabalpur for regular pay scale, wherein the learned Tribunal vide order dated 31-1-2000 allowed the same. The petitioner made several representations to accord same treatment as he is also similarly situated Teacher, but the respondents have not paid any heed, therefore, he is forced to file this writ petition. Learned counsel for the petitioner submits that the petitioner may be allowed to make a representation to respondent No.1 to give similar treatment to the petitioner and the same pay scale which has been sanctioned to other similarly situated teachers on account of the order of the State Administrative	

P.T.O.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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मामला क्रमांक ....W.P.4464/ **सन्** 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश - 2 -	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Tribunal dated 31-1-2000, to which learned counsel appearing for the State/ respondents has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, the limited prayer made by learned counsel for the petitioner appears to be just, fair and reasonable. Therefore, the petitioner is allowed to make a representation to respondent No.1 within a period of two weeks from today raising all his grievances and in turn, respondent No.1 shall decide the same in an objective manner within a period of 30 days from the date of its receipt, after considering all the points raised by the petitioner and taking into account the order dated 31-1-2000 passed by the learned State Administrative Tribunal in O.A.No.1452/1998, and if the present petitioner stands on the same footing as the petitioners in O.A.No.1452/1998, then he be also sanctioned the same pay scale and seniority.

With the direction aforesaid, the petition stands disposed of.

Consequently, I.A.No.8098/2006 also stands disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C.Bhadoo
Judge

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